

By Senator Stewart

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1 A bill to be entitled
2 An act relating to disposal of prescribed controlled
3 substances by a hospice; amending s. 400.6096, F.S.;
4 removing the requirement that a hospice physician,
5 nurse, or social worker obtain the permission of a
6 family member or a caregiver of the deceased patient
7 to assist in the disposal of an unused controlled
8 substance prescribed to the patient; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 400.6096, Florida Statutes, is amended
14 to read:

15 400.6096 Disposal of prescribed controlled substances
16 following the death of a patient in the home.—

17 (1) A hospice physician, nurse, or social worker is
18 authorized to assist in the disposal of a controlled substance
19 prescribed to a patient at the time of the patient's death
20 pursuant to the disposal regulations in 21 C.F.R. s. 1317.

21 (2) A hospice that assists in the disposal of a prescribed
22 controlled substance found in the patient's home at the time of
23 the patient's death must establish a written policy, procedure,
24 or system for acceptable disposal methods.

25 (3) A hospice physician, nurse, or social worker, upon the
26 patient's death ~~and with the permission of a family member or a~~
27 ~~caregiver of the patient,~~ may assist in the disposal of an
28 unused controlled substance prescribed to the patient, pursuant
29 to the written policy, procedure, or system established under

13-00591-18

20181176__

30 subsection (2).

31 (4) The prescribed controlled substance disposal procedure
32 must be carried out in the patient's home. Hospice staff and
33 volunteers are not authorized to remove a prescribed controlled
34 substance from the patient's home.

35 Section 2. This act shall take effect July 1, 2018.